

REMARKS/ARGUMENTS

Responsive to the Official Action mailed April 13, 2006, applicants have amended the claims of their application in an earnest effort to place this case in condition for allowance. Specifically, claim 11, and claims 24-29 have been cancelled, and independent claim 23 amended. Additionally, minor amendments have been made to dependent claims 30-33, and withdrawn claims 12-22 have been cancelled. Reconsideration is respectfully requested.

In the Action, the Examiner rejected claims 11, and 25-27 under 35 U.S.C. §102(b), with reliance upon U.S. Patent No. 3,705,064, to Lochner. In view of the cancellation of these claims, it is believed that this rejection can now be withdrawn. Claims 24, and 27-28 were rejected under 35 U.S.C. §103, with reliance upon the Lochner reference, with further reliance upon U.S. Patent No. 4,144,370, to Boulton. In view of the cancellation of these claims, it is believed that this rejection can also be withdrawn.

In rejecting claims 23, and 30-33, under 35 U.S.C. §102(b), the Examiner has relied upon U.S. Patent No. 5,399,174, to Yeo et al. However, as set forth in the pending claims, it is believed that the present invention is clearly patentably distinct from this reference, and accordingly, the Examiner's rejection is respectfully traversed.

The Yeo et al. reference discloses a composite material 48 comprising an air-bonded nonwoven web/fabric 27 which is directed by a guide roll 41 into the nip between embossing rollers 41 and 44, along with polymeric film 46. By this arrangement, the web 27 is imparted with an embossed pattern of densified areas 56, separated by high-loft areas 58, wherein the polymeric film 46 is laminated to the layer of fabric by means of the embossed pattern (see Figure 1, column 10, lines 8-10, column 11, lines 15-20, and claim 1).

Thus, applicants understand Yeo et al. to contemplate a composite material which is generally analogous to a single-faced corrugated board (cardboard) in which a fluted or corrugated layer (representing an "embossed web" for the limited purposes of this illustration) is bonded only at its upraised areas or tips ("densified areas"), but not its intermediate areas ("high loft areas") to a single flat panel ("polymeric film"). It is respectfully noted that as such, this reference does not teach or suggest the present invention, as claimed.

The present invention contemplates that the recited polymeric material layer "intrudes" into the fibrous structure of the associated nonwoven layer, and is visibly *presented at the surface* of the first, fibrous nonwoven layer in those regions where fiber density of the first, fibrous nonwoven layer are lower than surrounding regions thereof. This physical construct of the present invention provides for the appearance of color, or other visible aesthetic effects, through the fiber layer in selected regions thereof.

In significant distinction, the Yeo et al. construct does not provide for the intrusion or displacement of the polymeric film 46 into the web such that it is "presented at" the surface of the web 27, much less in selected regions thereof.

In view of at least the above, the Yeo et al. reference fails to anticipate the presently claimed invention, nor does this reference teach or suggest applicants' invention as claimed.

Accordingly, formal allowance of claims 23, and 30-33 is believed to be in order and is respectfully solicited. Should the Examiner wish to speak with applicants' attorneys, they may be reached at the number indicated below.

U.S. Serial No. 10/664,761
Amendment dated July 13, 2006
Reply to Office Action of April 13, 2006

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this submission to Deposit Account No. 23-0785.

Respectfully submitted,

By 
Stephen D. Geimer, Reg. No. 28,846

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
500 West Madison Street, Suite 3800
Chicago, Illinois 60661-2511
312/876-1800

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I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **July 13, 2006**.


